

Law -

~~B. A. S.~~

App. F. IX-4

Previous References

1933.

(Law)

File No. 104-33

Serial Nos. 1-1

Later References

Law 104-33-5
" 6-34-3+4
" 104-33-7-8

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. four

Part B for March 1934

SUBJECT.

Two notices issued by the High Court in
C.A. nos 55 and 88 of 33-34 on the file (Govt
vs Mr D. K. Hammantla Rao)

no P 4500-2 of 28-3-34

Notice Govt Advocate
in Regd. H.C.

Requests are Govt Advocate's sample.

to appear in an two cases on behalf
of Govt.

M. S. Prasad
2/4/34

In reply please refer to
No. 611

5185
P

OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

Bangalore, 22nd March 1934.
23/3

FROM

A. R. NAGESVARA IYER, Esq., B.A., B.L.,
GOVERNMENT ADVOCATE IN MYSORE,
BANGALORE.

Law 104-38-1

W.
To

The General Secretary to the Govt.
of H. H. The Maharaja of Mysore,
BANGALORE.

Recd
12/3/34
26/3

SIR,

Note
26/3/34

I have the honor to forward herewith for your information the Duplicate copies of the two Notices served on me by the High Court in C. P. Nos. 55 and 56 of 1933-34 on their file (Government of Mysore VS. Mr. D.K. Hanumantha Rao, Advocate) and to request you to kindly let me know early if I should appear in the said cases on behalf of Government. The references are under the Mysore Legal Practitioners' Regulation and the cases are posted to the 28th March 1934 for hearing.

2. The two Notices sent herewith may be kindly returned to me with your reply.

I have the honor to be,

Sir,

Your most obedient servant,

A. R. Nageswara Iyer
Government Advocate.

CSN.

Under rule 23 of the rules for the conduct of the legal affairs of Govt. A. may be instructed to appear on behalf of Govt.
Submitted via a dft. S.O. for appls orders

150
26/3

Beyond the fact that these petitions relate to references under the Legal Practitioners' Regulation, nothing more is known. Under

Serial
No.

rule 23 of the Legal Affairs Rules, The Govt Ad. Secy appears in such cases only if he is specially required to do so by Govt. And for Govt to decide whether this is a proper case in which the G.A. is to be briefed or not, the facts of the case ~~and~~ and the nature of the reference have to be considered. It is therefore necessary and desirable that in such cases the High Court should issue the notice with copies of the petitions etc. to the Govt, if they want the Govt to direct their advocate to appear under rule 23. It is when he so appears that the G.A. will be entitled to fees under rule 35(1). If however the High Ct issues notice direct to the Govt advocate in his capacity as leader of the bar, there seems to be no need for him to ask for sanction of Govt and he ~~will~~ cannot of course claim any remuneration from Govt for the work done in pursuance of such notice.

In this case the notice is issued direct to the Govt Advocate & he construes it as one issued to him ~~not~~ as representing Govt & therefore wants orders of Govt as to whether he should appear in the cases on behalf of Govt. The cases are listed to 28th March for hearing and there is no time to get copies of the petition etc. The G.A. will may therefore be instructed to move the Court for an adjournment in order to enable him to obtain orders of Govt in the matter & in the meanwhile

23

✓
5-183
P

Law File No. 104 of 1933.

General and Revenue
Secretariat

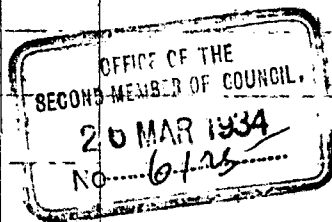
Serial
No.

He may get the necessary copies & send them
to Govt for reference -

Submitted for orders

II member)

SP
26/3/34

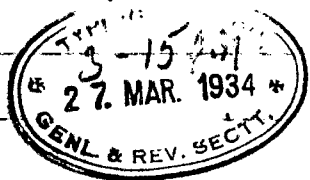


I agree. Meanwhile
please study what the rules in Madras
& elsewhere are in this matter.

SP
27/3

Some advice the
Draft put up
& resubmit

SP
27/3



The

He Govt. to

no. P. 447. d 27.3.34 instructing him
to obtain and send for reference the
copies of Act¹³ and other ~~relevant~~ necessary
information to enable Govt to pass orders
in the matter, and to make an
adjournment on 20th inst.

Submitted for perusal after some

SP
28/3

5250 ✓

34

General and Revenue
Secretariat

File No. 101, of 1933.

[App. F. III—2

Serial
No.

Letter No. 632 dated 18th march from the
Govt Advocate forwarding copies of the
reports in connection with the two cases under
the Legal Practitioners Regn against Mr.
J. K. Hanumanthadas & requesting orders
of Court to issue in the course of the day as
he is arranging to have them taken up
tomorrow the 29th.

A perusal of the reports sent show
that the charges made out against the
advocate are ~~those~~ those of misappropriation
of clients' moneys and sessions of gross
professional misconduct. In the Sub Court, an
enquiry was held and the matter is now
before the High Court for trial orders. There are
certainly cases in which the Govt Advocate may
be specially required to appear ~~in support~~
~~of the charges~~ for Court in support of the
reference made to the High Ct. The GA.
requests orders to be communicated to him in
the course of the day; as he is arranging for
the cases to be heard tomorrow, being the
last day the Court sits before the Vacation.

Subd for order.

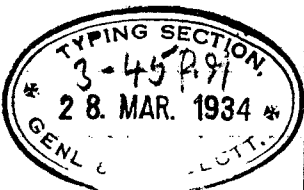
(I member)

28/3/34.

He may appear

28/3

Issue at once
28/3



1
Law File No.

5-
104

of 1933.

General and Revenue
Secretariat

Serial
No.

To,

the Gov. Ad.

" Reg. Secy. H. C. & M. S.

" Comptroller

G.O. no. 1. 4500-02 Law 104-32-4 d 28-3-34

directing me Gov. Ad. to appear on behalf
of Gov.

B. S. M.
31/3/34

SUBJECT

Section

File No.

Serial No.

Diary No. of letter replied to

No.

To

General and Revenue Secretariat

the

193

Date of issue

Signed by

List of enclosures

Copied by

Examined by

Law

104-33

2

PU475/En 2

The Govt Advocate

Sir,

With reference to your letter

No. 611 of 23rd March 1934 regarding

the two notices served on you by

the High Court in C.P. No. 55 & 56

of 23.34 on their file (Copy of original

Mr. Dr. Hammamtha Rao), I

am directed to state that in the

absence of information as to ~~what~~ ^{the}~~the~~ ~~the~~ facts of the case, and the

nature Govt find it difficult

to say whether ~~it is necessary for~~ ^{This is a case in which}~~them to be represented~~ ^{you have to be specially}

required under rule 23 of the Legal

Affairs Rules to appear for Govt.

I am to request you therefore
to ^{obtain and send} ~~move the High Court on 28th~~
for reference the copies of the
~~March for an adjournment in~~
~~order to enable~~ petitions and
other ~~necessary~~ ^{necessary} information to
enable you to pass orders in
the matter. An adjournment
~~if required~~ ^{if required} be
for this purpose may kindly
be obtained on the 28th instant.
The notices sent are herewith returned
in order of cost are required

I have etc

Yours for Gundry
27/3

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GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore 27th March 1934.

No. *P 4475*
2002

From

The General Secretary to the Government of His Highness
the Maharaja of Mysore.

To

The Government Advocate,
Bangalore.

Sir,

With reference to your letter No.611 of 23rd March 1934 regarding the two notices served on you by the High Court in C.P. Nos.55 and 56 of 33-34 on their file (Government of Mysore Vs. Mr. D. K. Hanumantha Rao), I am directed to state that in the absence of information as to the facts of the case, Government find it difficult to say whether this is a case in which you have to be specially required under rule 23 of the Legal Affairs Rules to appear for Government. I am to request you therefore to obtain and send for reference the copies of the petitions and other necessary information to enable Government to pass orders in the matter. An adjournment for this purpose may, if required, be kindly obtained on the 28th instant.

The two notices sent are herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

[Signature]
General Secretary to Government.

[Signature]
C. L.

In reply please refer to
No. 632

5250/233 4
OFFICE OF THE GOVERNMENT ADVOCATE
IN MYSORE,

Bangalore, 28th March 1934.

IMMEDIATE

Law 104-33-3

A. R. NAGESVARA IYER, Esq., B.A., B.L.,
GOVERNMENT ADVOCATE IN MYSORE,
BANGALORE.

To

The General Secretary to the Govt.
of H. H. The Maharaja of Mysore,
BANGALORE.

SIR,

With reference to your letter No. P.4475/Law.104-33-2 dated the 27th March 1934, I have the honor to forward herewith, as desired, copies of the Reports of the Subordinate Judge, Bangalore in C. P. Nos.55 and 56 of 1933-34 on the file of the High Court of Mysore, (Government of Mysore VS. Mr. D.K. Hanumantha Rao) and to request that the Orders of Government may be kindly obtained and communicated to me in the course of to-day as I shall arrange to have the cases adjourned to tomorrow i.e., the 29th instant, the last working day before the long Vacation.

2. The copies of the Reports sent herewith may be kindly returned to me with your reply.

I have the honor to be,
Sir,
Your most obedient servant,

A. R. Nagesvara Iyer
Government Advocate.

CSN.

SUBJECT.....

Diary No. of letter replied to.....

General and Revenue Secretariat

()

the

193

Date of issue. 28/3/34 1934

Signed by

May this be—

- (i) printed ?
- (ii) treated as a standing order ?
- (iii) published in the Gazette, English part ?
- (iv) translated ?
- (v) placed at the disposal of the press ?
- (vi) published in the Gazette, kannada part ?

- To, Made by the Sub. Insp. More in the matter.
- 1) The Gov. Ad. was notices
 - 2) Regd. H. C. of Mys.
 - 3) Comptroller to Gov.

28/3/34

Section

Law

File No.

104-33.

Serial No.

4

Proceedings of the Government of
His Highness the Maharaja of Mysore.

Read—

Letter no. 611 dated

23rd March 1934 from the Gov.

Advocate forwarding duplicate copies of the two notices served on him

in C. P. 55 and 56 / 33-34 on the file

of the H. C. of Mysore (Gov. of Mysore
Mr. D. K. Hanumanth Rao, Advocate)

Order thereon—No

reference under

Legal Practitioners' Regulation,

and soliciting instructions in

the matter.

Letter no. 632 dated 28 March from the same office forwarding copies of the reports

No. 4500-02

The Gov. Ad. is requested to

appear on behalf of Govt. in the Mysore cases

and referred to above.

152/24/3

100/28/3/34 Genl. Secy

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

cel
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Read:-

Letter No.611 dated 23rd March 1934 from the Government Advocate forwarding duplicate copies of the two notices served on him in C.P.55 and 56/33-34 on the file of the High Court of Mysore (Government of Mysore Vs. Mr.D.K.Hanumantha Rao, Advocate) - references under legal practitioners' Regulation and soliciting instructions in the matter.

Letter No.632 dated 28th March 1934 from the same officer forwarding copies of the reports made by the Sub Judge, Bangalore in the matter.

Order No.

P4500-02 *104-33-4*

Dated, Bangalore, 28th March 1934.

The Government Advocate is requested to appear on behalf of Government in the two cases referred to above.

pool
General Secretary to Government.

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The Government Advocate in Mysore, Bangalore with notices.
The Registrar, High Court of Mysore.
The Comptroller to Government.

ACH.4.